

MAYOR AND COUNCIL – STUDY SESSION

LEGAL ACTION REPORT AND SUMMARY

TUESDAY, FEBRUARY 28, 2012

MAYOR AND COUNCIL CHAMBERS

CITY HALL, 255 W. ALAMEDA, TUCSON, AZ

Mayor Jonathan Rothschild called the Study Session to order at 12:02 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

OFFICIAL MEMBERS

PRESENT:

Mayor Jonathan Rothschild
Vice Mayor Karin Uhlich, (Ward 3)
Council Member Regina Romero, (Ward 1)
Council Member Paul Cunningham, (Ward 2)
Council Member Shirley C. Scott, (Ward 4)
Council Member Richard G. Fimbres, (Ward 5)
Council Member Steve Kozachik, (Ward 6)

STAFF: Richard Miranda, City Manager
Dave Deibel, Chief Deputy City Attorney
Roger W. Randolph, City Clerk

AGENDA ITEM / MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Executive Session –TDB Tucson Group v. City of Tucson; and House Bill 2416 (City Wide) SS/FEB28-12-96</p> <p>3. Executive Session – Mediation of Claims between the City of Tucson and Rio Nuevo Multipurpose Facilities District (City Wide) SS/FEB28-12-94</p> <p>Council Member Cunningham MOVED and it was duly seconded to enter into Executive Session for Items 1 and 3 as noticed in the agenda.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u></p>
<p>RECESS: 12:03 p.m. RECONVENE: 12:46 p.m. MAYOR & COUNCIL: All present</p>	

STAFF: All present	
Executive Session was held from 12:03 p.m. to 12:46 p.m.	
<p>Council Member Scott MOVED and it was duly seconded to return to open session.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>2. <u>Mayor and Council Direction Regarding Executive Session – TDB Tucson Group v. City of Tucson; and House Bill 2416 (City Wide) SS/FEB28-12-97</u></p> <p>Council Member Romero MOVED and it was duly seconded to direct staff to proceed as discussed in Executive Session to defend the City’s water supply, to work with Pima County and all other interested parties to resolve outstanding issues with respect to Painted Hills, to protect the City’s water policies, and oppose the attempts to diminish the City’s authority over its water supply.</p> <p>Motion PASSED by a vote of 6 to 1 (Council Member Kozachik dissenting).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>4. <u>Mayor and Council Direction Following Executive Session – Mediation of Claims between the City of Tucson and the Rio Nuevo Multipurpose Facilities District (City Wide) SS/FEB28-12-95</u></p> <p>No direction was given.</p>	<p><u>CITY ATTORNEY</u></p>
<p>5. <u>Reconsideration of Action Taken on February 15, 2012 Relating to: Mayor and Council Direction Following Executive Session – Mediation of Claims between the City of Tucson and the Rio Nuevo Multipurpose Facilities District (City Wide) SS/FEB28-12-98</u></p> <p>Council Member Fimbres MOVED and it was duly seconded to reconsider the direction given to staff on February 15, 2012 regarding the Rio Nuevo mediation, as described in the Mayor and Council Memorandum and to reconsider that direction at the March 6th Mayor and Council meeting.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY</u> Informed</p>

<p>This item was taken out of order.</p> <p>7. Discussion and Review of Tucson City Code Regarding Peddler's Ordinance (City Wide) SS/FEB28-12-91</p> <p>Presentation was given, no formal action was taken.</p> <p>(Council Member Kozachik left at 12:58 p.m. and returned at 1:01 p.m.)</p>	<p><u>PLANNING & DEVELOPMENT SERVICES</u></p>
<p>8. Proposed Designation of a Central Business District and Redevelopment Area (City Wide) SS/FEB28-12-93</p> <p>Vice Mayor Uhlich MOVED and it was duly seconded to direct staff to proceed with the noticing and process requirements under State statute and to begin consideration for the designation of the area bounded by the red lines on the map as the proposed Redevelopment Area and Central Business District and that the date be set for public hearing as soon as possible and within eight weeks.</p> <p>Mayor Rothschild clarified that the map the Mayor and Council were considering was the one titled the Redevelopment Map of February 28, 2012 which targets the industrial and commercial zoned areas.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>CITY ATTORNEY AND HOUSING AND COMMUNITY DEVELOPMENT</u> Are responsible</p>
<p>6. Update on the City's Plastic Bag Ordinance (City Wide and Outside City) SS/FEB28-12-90</p> <p>Council Member Cunningham MOVED and it was duly seconded that the Office of Environmental Services, along with the Office of Conservation and Sustainable Development, convene a working group to bring back recommendation within six months on how the City can best reduce consumption of single-use plastic bags and increase current recycling and education efforts. The working group shall consist of one member from each of the following:</p> <ul style="list-style-type: none"> • Small Business Commission • Tucson Clean and Beautiful • Climate Change Commission • Tucson metropolitan Chamber of Commerce • Environmental Services Advisory Committee • Waste Management Services • Arizona Retailers Association • Arizona Food and Marketing Alliance 	<p><u>ENVIRONMENTAL SERVICES AND CONSERVATION AND SUSTAINABLE DEVELOPMENT</u> Are responsible</p>

<ul style="list-style-type: none"> Sierra Club <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>9. Discussion of Adoption of Tucson Water's Financial Plan FY 2012 through FY 2017 (City Wide and Outside City) SS/FEB28-12-89</p> <p>Presentation was given; formal action was taken at the Regular Session during item 14.</p> <p>14. Water: Adopting Tucson Water's Financial Plan For Fiscal Years 2012 Through 2017 (City Wide And Outside City)</p>	<p><u>WATER</u></p>
<p>10. Discussion of Street Maintenance Needs and Costs (Continued from the meeting of February 22, 2012) (City Wide) SS/FEB28-12-92</p> <p>Presentation was given, no formal action was taken.</p>	<p><u>TRANSPORTATION</u></p>
<p>11. Modern Streetcar Update (City Wide) SS/FEB28-12-83</p> <p>Presentation was given, no formal action was taken.</p>	<p><u>TRANSPORTATION</u></p>
<p>12. Update on the Rio Nuevo Multipurpose Facilities District (City Wide) SS/FEB28-12-84</p> <p>No report was given.</p>	<p><u>CITY MANAGER</u></p>
<p>13. State and National Legislation Updates (City Wide) SS/FEB28-12-85</p> <p>Presentation was given, no formal action was taken.</p> <p>(Council Member Kozachik left at 3:38 p.m. and returned at 3:41p.m.) (Council Member Romero left at 3:41 p.m. and returned at 3:46 p.m.)</p>	
<p>14. Mayor and Council Discussion of Regular Agenda (City Wide) SS/FEB28-12-86</p> <p>Council Member Kozachik noted that a correction needed to be made to the materials for Consent Agenda item c. He noted that Page 16 of Exhibit D to the resolution listed some measures being undertaken for Fiscal Year12 that were inaccurate.</p>	

7c. Finance: Authorizing The Sale Of Certificates Of Participation, Series 2012 (City Wide)

15. [Mayor and Council Discussion of Future Agendas and Approved Work Plan \(City Wide\) SS/FEB28-12-87](#)

No future agenda items were requested.

ADJOURNMENT: 4:07 p.m.

VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE